

SAGE/A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

A. Martin Lerner

Group Art Unit: 1617

Examiner: Unknown

Serial No.: 10/060,159

Filed: January 30, 2002

For: METHOD FOR DIAGNOSING AND ALLEVIATING THE SYMPTOMS OF
CHRONIC FATIGUE SYNDROME

Attorney Docket No.: LMA0113PUS1

MISSING PARTS TRANSMITTAL LETTER

Attention: Box Missing Parts
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

Enclosed with reference to the above matter are the following documents:

1. Copy of the Notice of Omitted Item(s) in a Nonprovisional Application;
2. Petition Under 37 C.F.R. § 1.182;
3. Drawing sheet 1 of 2 (containing Figures 1a-1d and 2) and drawing sheet 2 of 2 (containing Figures 3 and 4); and
4. Check in the amount of \$130 representing the petition fee.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Attention: Box Missing Parts, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

May 1, 2002
Date of Deposit

Sangeeta G. Shah
Name of Person Signing

Sangeeta G. Shah
Signature

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to our Deposit Account No. 02-3978. A duplicate of this Transmittal Letter is enclosed for that purpose.

Respectfully submitted,

A. Martin Lerner

By: 

Sangeeta G. Shah

Reg. No. 38,614

Attorney/Agent for Applicant

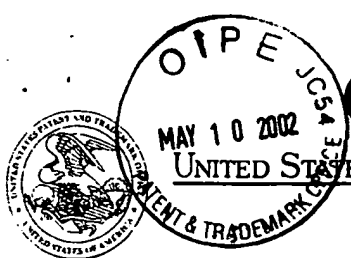
Date: May 1, 2002

BROOKS & KUSHMAN P.C.
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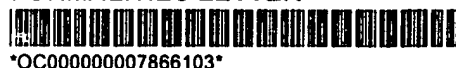
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/060,159	01/30/2002	A. Martin Lerner	LMA 0113 PUS1

CONFIRMATION NO. 8676

FORMALITIES LETTER



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Date Mailed: 04/15/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **3 & 4** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE